

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KHARVELL LEWIS, Case No. 23-10326
Plaintiff,
v. Matthew F. Leitman
United States District Judge
TURNWALD and BAILEY,
Defendants. / Curtis Ivy, Jr.
United States Magistrate Judge

ORDER DENYING MOTION FOR DISCOVERY (ECF No. 40)

Plaintiff moved for an order compelling the Defendants to produce documents he requested in the motion. (ECF No. 40). It does not appear that he mailed the discovery requests to Defendants. Instead, he is attempting to serve discovery requests by filing them on the docket. His attempt to do so violates both Eastern District of Michigan Local Rule 26.2 and Fed. R. Civ. P. 5(d)(1). Discovery requests must be made in accordance with Fed. R. Civ. P. 26 through 37. Requests must be mailed to Defendants' attorney, not to the Court to provide to the Defendants. The motion is therefore **DENIED**. Plaintiff is cautioned that he should mail his discovery requests to Defendants' counsel as soon as possible because the discovery period closes on December 26, 2024. As stated in the case management order, discovery requests must be served with enough time for the responding party to comply before the close of discovery. Responses to requests

for documents are due 30 days after service of the requests. So Plaintiff must make haste.

IT IS SO ORDERED.

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich. Local Rule 72.2.

Date: November 22, 2024

s/Curtis Ivy, Jr.
Curtis Ivy, Jr.
United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System or by First Class U.S. mail on November 22, 2024.

s/Sara Krause
Case Manager
(810) 341-7850